

Micheal Lynn Merrival Jr. #2313881
Name and Prisoner/Booking Number

Pennington County Jail
Place of Confinement

307 Saint Joseph Street
Mailing Address

Rapid City, S.D. 57701
City, State, Zip Code

FILED

MAY 04 2017

[Signature]
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

MICHEAL LYNN MERRIVAL JR
(Full Name of Plaintiff)

Plaintiff,

vs.
MARTY J. JACKLEY

PENNINGTON COUNTY

BRIAN MUELLER

PENNINGTON COUNTY JAIL
(Full Name of Each Defendant)

Defendants.

Case No. 5:17-cv-05031-JLV
(To be supplied by the Clerk)

AMENDING ADDITIONAL REQUEST FOR
CIVIL RIGHTS COMPLAINT RELIEF
BY A PRISONER

JURY TRIAL DEMANDED

- ☐ Original Complaint
☒ First Amended Complaint
☐ Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

- a. ☒ 28 U.S.C. § 1343(a)(3); 42 U.S.C. § 1983
b. ☐ 28 U.S.C. § 1331; *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971).
c. ☒ Other: (Please specify.) FED. R. CIV. P. RULE 15(a)

2. Name of Plaintiff: MICHEAL LYNN MERRIVAL JR. #2313881

Present mailing address: 307 SAINT JOSEPH STREET, RAPID CITY, S.D. 57701
(Failure to notify the Court of any change of address may result in dismissal of this action.)

Institution/city where violation occurred: PENNINGTON COUNTY JAIL
Seventh Judicial Circuit Court

3. Name of first Defendant: MARTY J. JACKLEY. The first Defendant is employed as:
ATTORNEY GENERAL at STATE OF SOUTH DAKOTA
(Position and Title) (Institution)

This Defendant is sued in (his)her: ☒ individual capacity ☒ official capacity (check one or both)

Explain how this Defendant was acting under color of law: Defendant is an Attorney General of the State of South Dakota

4. Name of second Defendant: Pennington County. The second Defendant is employed as:
County at State of South Dakota
(Position and Title) (Institution)

This Defendant is sued in his/her: ☒ individual capacity ☒ official capacity (check one or both)

Explain how this Defendant was acting under color of law: Defendant is an Official and Individual County of the State Law.

5. Name of third Defendant: Brian Mueller. The third Defendant is employed as:
Chief Deputy at Pennington County Jail
(Position and Title) (Institution)

This Defendant is sued in his/her: ☒ individual capacity ☒ official capacity (check one or both)

Explain how this Defendant was acting under color of law: Defendant is an official Chief Deputy at the Pennington County Jail

6. Name of fourth Defendant: Pennington County Jail. The fourth Defendant is employed as:
County Jail at Pennington County
(Position and Title) (Institution)

This Defendant is sued in his/her: ☒ individual capacity ☒ official capacity (check one or both)

Explain how this Defendant was acting under color of law: Defendant is an official County Jail of the Pennington County of the State

(If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.)

B. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If your answer is "yes," how many lawsuits have you filed? 1. Describe the previous lawsuits in the spaces provided below.
3. First prior lawsuit:
 - a. Parties to previous lawsuit:
 Plaintiff: MICHAEL LYNN MERRIVAL JR

Defendants: Captain Haga, Pennington County
Jail Captain

- b. Court: (If federal court, identify the district; if state court, identify the county.) United States District Court Western Division ^{District of South Dakota}
- c. Case or docket number: CIV. 15-05023-JLV
- d. Claims raised: Cruel and Unusual Punishment of the 8th Constitutional Amendment
- e. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) THIS CASE IS STILL PENDING!
- f. Approximate date lawsuit was filed: MARCH 30, 2015
- g. Approximate date of disposition: ?

4. Second prior lawsuit:

- a. Parties to previous lawsuit:
Plaintiff: _____
Defendants: NA
- b. Court: (If federal court, identify the district; if state court, identify the county.) _____
- c. Case or docket number: NA
- d. Claims raised: NA
- e. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) _____
- f. Approximate date lawsuit was filed: NA
- g. Approximate date of disposition: NA

5. Third prior lawsuit:

- a. Parties to previous lawsuit:
Plaintiff: _____
Defendants: NA
- b. Court: (If federal court, identify the district; if state court, identify the county.) _____
- c. Case or docket number: NA
- d. Claims raised: NA
- e. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) _____
- f. Approximate date lawsuit was filed: NA
- g. Approximate date of disposition: NA

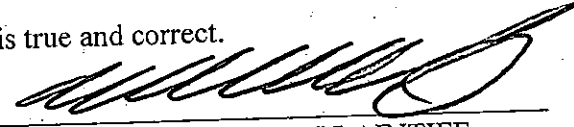
D. REQUEST FOR RELIEF

State briefly what you want the Court to do for you.

The amended request for relief is added to this complaint as for the United States District Court to charge a criminal complaint against Ms. Lara Roetzel for the infamous criminal crime of perjury and to have it taken before a State or Federal Grand Jury to decide indictment. I also request the same against Marty Jackley for aiding and abetting Lara Roetzel's perjury crime and to be charged for misimprisonment of a crime of a felony. As a relief I want the Court to prosecute these individuals or to decree the State of South Dakota to prosecute them for perjury and subordination to perjury.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 2nd, 2017
DATE


SIGNATURE OF PLAINTIFF

SELF
(Name and title or paralegal, legal assistant, or other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If needed, you may attach additional pages. The form, however, must be completely filled in to the extent applicable.